

February 20, 1937

Dr. F. H. Pilcher, Secretary
State Board of Optometry
8 West Adams Street
Phoenix, Arizona

Dear Sir:

In answer to yours of the 13th I wish to quote a portion of Section 2572, R.C.A. 1928, which reads in part as follows:

" * * * All money paid to the Board shall be held by the State Treasurer as a special fund for the payment of the salaries and other expenses of the board when appropriated therefor. The board shall meet at least once a year at the capitol and in addition thereto wherever and whenever its president or the Governor shall call a meeting. * * *"

I also wish to quote a portion of Section 2573, R.C.A. 1928, which reads in part as follows:

" * * * A person over the age of twenty-one years, and of good moral character, desiring to engage in the practice of optometry in the state, may file his verified application, with a fee of twenty-five dollars, for examination with the secretary of the board at least two weeks prior to the date at which an examination is to be held * * *"

The Board of Examiners in Optometry, as you well know, are authorized to collect certain fees, and among these are the fees for applications, certificates and renewals. All moneys which are collected by said board should in turn be remitted to the State Treasurer. The fee which the law authorizes you to charge an applicant precedent to his taking the examination in optometry is \$25.00. I do not find any authority where you are authorized to charge any more, even though the board may at one time or another see fit to call a special examination. The amount which the board must remit to the State Treasurer is the \$25.00 fee provided by statute.

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With reference to your question as to what would be the best means of obtaining the \$25.00 fee from an applicant who gave the board a check and later stopped payment on it, is a matter which must be attended to by you in your individual capacity. You are responsible in cash for all fees collected and any checks which you might accept will be solely upon your own responsibility.

Yours very truly,

JOE CONWAY
Attorney General

ALBERT M. GARCIA
Assistant Attorney General

APPROVED:

E. G. FRAZIER
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Attorney General

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